Amendment to Standing Order.

Mr. K. T. Mathew—I beg to move that the amendment to S. O. 9 be taken up and passed.

Mr. A. Sankara Poduval.—I beg to second it.

Motion put and carried.

Cochin Civil Marriage Bill.

Mr. K. Ayyappan.—I beg to present the report of the Select Committee on the Cochin Civil Marriage Bill and move that it may be taken up for consideration.

Mr. P. Kumaran Ezhuthassan.—I beg to second it.

Motion put and carried.

The followeng sections, etc., were put and carried.

Whereas it is expedient to provide a form of marriage for persons of diverse castes and creeds and to legalise certain marriages the validity of which is doubtful it is hereby enacted as follows:—

I. This Regulation shall be known as the Civil Marriage Regulation of Cochin of 110 .

II. The Regulation extends to the whole of Cochin.

III. Marriages may be celebrated under this Regulation between persons irrespective of their castes or creeds under the following conditions:—

(1) neither party must, at the time of marriage, have a husband or wife living;

(2) the man must have completed the age of 18 and the woman the age of 16;

(3) each party must, if he or she has not completed the age of 21, have obtained the consent of his or her parent or guardian;

(4) the parties must not be related to each other in any degree of consanguinity or affinity which would, according to any law to which either of them is subject, render a maariage between them illegal.

1st Proviso.—No such law or custom other than one relating to consanguinity or affinity, shall prevent them from marrying.

2nd Proviso.—No law or custom as to consanguinity shall prevent them from marrying, unless a relationship can be traced between the parties through some common ancestor, who stands to each of them in a nearer relationship than that of great-great-grand-father or great-great grandmother, or unless one of the parties is the lineal ancestor, or the brother or sister of some lineal ancestor of the other.

IV. The Government may appoint one or more Registrars under this Regulation to any portion of the State. The officer so appointed shall be called Registrar of Marriages under Re-

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gulation of 110 . and is hereinafter referred to as the Registrar. The portion of the State for which such officer is appointed shall be deemed his district.

V. When a marriage is intended to be solemnised under this Regulation, one of the parties must give notice in writing to the Registrar before whom it is to be solemnised.

The Registrar to whom such notice is given must be the Registrar of the District within which one at least of the parties to the marriage has resided for 14 days before such notice is given.

Each notice may be in the form given in the First Schedule to this Regulation.

VI. The Registrar shall file all such notices and keep them with the records of his office and shall also forthwith enter a true copy of every such notice in a book to be kept for that purpose furnished to him by the State, to be called the Marriage Notice Book under Regulation of 110 . and such book shall be open at all reasonable times without fee to all persons desirous of inspecting the same.

VII. 14 days after notice of the intended marriage has been given under section V, such marriage may be solemnised unless it has been previously objected to in the manner hereinafter mentioned.

Any person may object to any marriage on the ground that it would contravene some one or more of the conditions prescribed in clauses 1, 2, 3 and 4 of section III.

The nature of the objection made shall be recorded by the Registrar in the Register, and shall, if necessary, be read over and explained to the person making the objection and shall be signed by him or on his behalf.

VIII. On receipt of such notice of objection, the Registrar shall not proceed to solemnise the marriage, until the lapse of 14 days from the receipt of such objection, if there is a court of competent jurisdiction open at the time or, if there be no such court open at the time, until the lapse of 14 days from the opening of such court.

The person objecting to the intended marriage may file a suit in any civil court having local jurisdiction for a declaratory decree, declaring that such marriage would contravene some one or more of the conditions prescribed in clauses 1, 2, 3 and 4 of section III.

IX. The officer before whom such suit is filed shall thereupon give the person presenting it a certificate to the effect that suit has been filed. If such certificate has been lodged with the Registrar within 14 days from the receipt of notice of objection, if there be a court of competent jurisdiction open at the

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time, or if there be no such court open at the time within 14 days after the opening of such court, the marriage shall not be solemnised till the decision of such court has been given and the period allowed by law for appeals from the decision has elapsed; or if there be an appeal from that decision till the decision of the appellate court has been given.

If such certificate be not lodged in the manner and within the period prescribed in the last preceding paragraph, or if the decision of the court be that such marriage would not contravene any one or more of the conditions prescribed in clauses 1, 2, 3 and 4 of section III, such marriage may be solemnised.

X. Any court in which any such suit, as is referred to in section VIII, is filed, may, if it shall appear to it that the objection was not reasonable and *bona fide*, inflict a fine not exceeding Rs. 1,000 on the person objecting, and award it or any part of it to the parties to the intended marriage.

XI. Before the marriage is solmnised, the parties and three witnesses shall, in the presence of the Registrar, sign a declaration in the form contained in the second schedule to this Regulation. If either party had not completed the age of 21 years, the declaration shall also be signed by his or her parent or guardian, except in the case of a widow, and in every case it shall be countersigned by the Registrar.

XII. The marriage shall be solemnised in the presence of the Registrar and of the three witnesses who signed the declaration. It may be solemnised in any form provided that each party says to the other in the presence and hearing of the Registrar and witnesses "I (A) take the (B) to be my lawful wife or (husband)".

XIII. The marriage may be celebrated either at the office of the Registrar or at such other place within reasonable distance of the office of the Registrar as the parties desire:

Provided that the State may prescribe the condition under which such marriage may be solemnised at places other than the Registrar's office and the additional fees to be paid thereupon.

XIV. When the marriage has been solemnised, the Registrar shall enter a certificate thereof in a book to be kept by him for that purpose and to be called the Marriage Certificate Book under Regulation of 110 in the form given in the third schedule to this Regulation, and such certificate shall be signed by the parties to the marriage and three witnesses.

XV. The State shall prescribe the fees to be paid to the Registrar for the duties to be discharged by him under this Regulation.

The Registrar may, if he thinks fit, demand payment of any such fee before solemnisation of the marriage or performance of any other duty in respect of which it is payable.

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The said Marriage Certificate Book shall at all reasonable times be open for inspection and shall be admissible as evidence of the truth of the statements therein contained. Certified extracts therefrom shall, on application, be given by the Registrar on the payment to him by the applicant of a fee to be fixed by the State for each such extract.

XVI. Every person who being at the time married, procures a marriage of himself to be solemnised under this Regulation shall be deemed to have committed an offence under section 474 or 475 C. P. C. as the case may be, and the marriage so solemnised is void.

XVII. Every person married under this Regulation who, during the life-time of his or her wife or husband, contracts any other marriage shall be subjected to the penalties prescribed in sections 474 and 475 C. P. C. for the offfence of marrying again during the life-time of a husband or wife, whatever may be religion which he or she professed at the time of the second marriage.

XVIII. The Indian Divorce Act shall apply to all marriages contracted under this Regulation, and any such marriage may be declared null or dissolved in the manner therein provided and for the causes therein mentioned or on the ground that it contravenes some one or more of the conditions prescribed in clauses 1, 2, 3 and 4 of section III of this Regulation.

XIX. The issues of a marriage solemnised under this Regulation shall, if they marry under this Regulation, be deemed to be subject to the law to which their fathers were subject as in the prohibition of marriage by reasons of consanguinity and affinity and the provisions to section III of this Regulation shall apply to them.

XX. Nothing in the Regulation contained shall affect the validity of any marriage not solemnised under its provisions; nor shall this Regulation be deemed directly or indirectly to affect the validity of any mode of contracting marriage; but if the validity of any such shall hereafter come into question before any court, such question shall be decided as if this Regulation had not been passed.

XXI. Every person making, signing or attesting any declaration or certificate prescribed by this Regulation containing a statement which is false and which he either knows or believes to be false or does not believe to be true, shall be deemed guilty of the offences, described in section 185 C. P. C.

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FIRST SCHEDULE
(SECTION IV).

Notice of marriage

To a Registrar of marriage under Regulation of 110 for Taluk within 3 calendar months from the date thereof, between me and the other party herein named and described, that is to say,

Name	Condition	Rank or profession	Age	Dwelling place	Length of residence
A. B.	Unmarried or widower	Land owner	Full age	..	23 days
C. D.	Spinster	...	Minor	..	...

Witness.

Day of 110
(Sd) A B.

SECOND SCHEDULE.
(SECTION X)

Declaration to be made by the bridegroom.

I, A. B. hereby declare as follows:—

1. I am at the present time unmarried.
2. I have completed my age of 18 years.
3. I am not related to C. D. (the bride) in any prohibited degree of consanguinity or affinity according to any law to which I am subject or to which C. D. is subject, and subject to the provision of clause IV of section III of Regulation of 110 render a marriage between us illegal.

And when the bridegroom has not completed 21 years of age.

4. The consent of the father or guardian, as the case may be, has been given to a marriage between myself and C. D. and has not been revoked.

5. I am aware that, if any statement in this declaration is false, and if, in making such statement, I either know or believe it to be false or do not believe it to be true, I am liable to imprisonment and also to fine.

(Sd.) A. B.

I, C. D., hereby declare as follows.—

1. I am at present time unmarried.
2. I have completed my age of sixteen years.

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3. As 3 above.

(and when the bride has not completed her age of 21 years, unless she is a widow).

4. The consent of the father or guardian, as the case may be, has been given to a marriage between myself and A. B. and has not been revoked.

5. As above.

Signed in our presence by the above-named A. B. and C. D.

G. H.
I. J. } Witnesses.
K. L.

And when the bridegroom or bride has not completed the age of 21 years except in the case of a widow.

Signed in my presence and with my consent by the above named M. N., the father or guardian of A. B. or C. D. as the case may be

(countersigned E. F.)
Registrar of marriage under Regulation of 110 .
Dated the day of 110 .

THIRD SCHEDULE.

I, E. F. certify that on the of 110 appeared before me A. B. and C. D., each of whom in my presence and in the presence of 3 creditable witnesses whose names are signed hereunder, made the declaration required by Regulation of 110 and that a marriage under the said Regulation was solemnised between them in my presence.

Registrar of Marriages under Regulation of 110
for the Taluk of

(Sd.) A. B.
C. D

G. H.
I. J. } Witnesses.
K. L.

Dated the day of 110 .

Mr. K. Ayyappan.—I move that the bill be taken up and passed tomorrow.

Mr. P. Kumaran Ezhuthassan.—I second it.

Motion put and carried.

Provident Insurance Societies Bill.

Mr. K. T. Mathew.—Sir, I beg to present the select committee report on the Cochin Provident Insurance Societies Bill and in doing so I beg to say a few words This morning

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